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TN REGULATORY AUTHOR 15087-1507 DOCKET ROOM

GUILFORD F. THORNTON, JR. gthornton@stokesbartholomew.com

February 26, 2003

The Honorable Sara Kyle, Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37243

RE:

Complaint of Ben Lomand Communications, Inc. against Citizens Telecommunications Company of Tennessee, LLC

Docket No. 02-01221

Dear Chairman Kyle:

I am enclosing with this letter a joint motion for the appointment of a prehearing officer in the above referenced matter. As you can, both parties are in agreement on this motion. Copies are being served on the TRA legal counsel as well as opposing counsel in this matter.

Should you have any questions or require anything further at this time, please do not hesitate to contact me.

Sincerely,

Guilford F. Thoruton, Jr.

cc:

Mike Swatts Gregg Sayre

BEFORE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

IN RE:) '
COMPLAINT OF BEN LOMAND)
COMMUNICATIONS, INC.,	
Against) Docket No. 02-01221
CITIZENS TELECOMMUNICATIONS)
COMPANY OF TENNESSEE, LLC,)

JOINT MOTION TO APPOINT PREHEARING OFFICER

Citizens Telecommunications Company of Tennessee ("Citizens") files this motion jointly with Ben Lomand Communications, Inc. ("BLC"), as evidenced by signatures for both parties below. By action taken at its January 27 Directors' conference, the Authority established deadlines in this matter for the filing of discovery requests, discovery responses, direct testimony and rebuttal testimony. The parties have exchanged some discovery and have submitted jointly to the Authority a proposed agreed protective order. Pending the entry of that order, the parties each have proprietary material that has not yet been turned over to the opposing party. Consequently, it will be impossible for the parties to prepare and file testimony by the deadlines now in place. Further, the parties anticipate procedural issues may arise, including potential discovery disputes, which call for the appointment of a prehearing officer. As a result, the parties propose that the schedule for the filing of direct and rebuttal testimony be suspended and that a prehearing officer be appointed.

Respectfully submitted,

Guilford F. Thornton, Jr.

Charles W. Cook III

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Company of Tennessee, LLC

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211 Seventh Avenue North

Nashville, TN 37219

Counsel for Ben Lomand

Communications, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by facsimile transmission and by first class mail postage prepaid this the 26th day of February, 2003 to:

Don Baltimore Farrar & Bates LLP 211 Seventh Avenue North Nashville, Tennessee 37219

Richard Collier Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37238

Suilford F. Thornton,